

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: November 6, 2007

COUNTY

Date Filed:

Court Date: 3/28/08

ATTORNEY(S): Robert William Yalen AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2722
ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,
vs.
WILLIAM J. PEPPER, III, et al.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW York, COUNTY OF ONEIDA SS.:

JAMES C.L. JONATHAN JR, being duly sworn deposes and says:

Deponent is not a party herein, is over 18 years of age. On 11/15/07 at 8:10 AM

at 5701 HOCATI STREET UTICA, NEW YORK 13502, deponent served the within

Notice of Requirement to Submit A Scheduling Order, Civil Case Discovery Plan and Scheduling Order, Summons In A Civil Case
with Index Number 07 CIV 9835, and Date Purchased November 6, 2007 endorsed thereon,

on: FLEET NATIONAL BANK N/K/A BANK OF AMERICA, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION ☒ By delivering to and leaving with Sandra Allen - Operational Team Lead and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

#5 MAIL COPY ☐ On _____, deponent completed service under the last two sections by depositing a copy of the postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of _____ Certified Mail No. _____

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____

#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other: _____

#7 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex Female Color of skin White Color of hair Brown Age 46 Height 5'4"
Weight 150 Other Features: _____

#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of _____ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#10 OTHER ☐

Sworn to before me on this 15th day of November 2007.

Patricia A. Lupia
Notary
PATRICIA A. LUPA
NOTARY PUBLIC, STATE OF NEW YORK
NO. 5006371
APPOINTED IN ONEIDA COUNTY
COMMISSION EXPIRES DECEMBER 28, 2010

Please Print Name Below Signature

JAMES C.L. JONATHAN JR

Invoice/Work Order # 0755608